

**REMARKS**

Claims 8, 9, 10, 11, 13 and 14 are pending in this application. Claims 8, 9, 10, 11, 13 and 14 stand rejected. Claim 8 is an independent claim.

**35 U.S.C. § 102(e) – Everhart**

Claims 1-2, 7, and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Everhart (U.S. 6,587,824). By this Amendment, each of claims 1-2, 7 and 22-24 have been cancelled. Accordingly, Applicant respectfully submits that this rejection is now moot.

**35 U.S.C. § 103(a) – Everhart in view of Hedin**

Claims 8-11 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Everhart in view of Hedin (U.S. 6,185,535). Applicant respectfully traverses this art grounds of rejection.

Everhart is directed to a selective speaker adaptation for an in-vehicle speech recognition system. Everhart is generally directed to a speech recognition system for vehicle commands which are used to trigger tasks which are likewise performed within the vehicle. The specification of Everhart consistently refers to automobile speech recognition systems. The tasks which are triggered by the recognized speech commands are listed as “power windows, locks and climate control devices” (see column 1, lines 31-34 of Everhart).

Applicant agrees with the Examiner in that “Everhart et al. fail to specifically disclose a server in communication with the client device” (see page 5 of the Office Action). However, the Examiner alleges that Hedin discloses this particular deficiency of Everhart.

The Examiner asserts that it would be obvious to combine Everhart and Hedin “in order to improve speech recognition efficiency by providing a more powerful speech recognizer at the server to recognize words/commands that speech recognizer of the client device is not capable of recognizing” (see page 5 of the Office Action). As will now be explained, Applicant respectfully submits that the teachings of Everhart clearly teach away from such a combination.

As discussed above, Everhart is directed exclusively to in-vehicle commands, which are used to trigger such actions as adjusting an internal temperature of the car, opening and closing windows, locking and/or unlocking the car, etc. Everhart does not disclose or suggest anything related to equipping the vehicle with a communication system to upload misrecognized words for higher power speech recognition processing. In fact, it would be entirely impractical for such a system to be employed. The command tasks which are triggered by the speech recognition of Everhart are clearly related to simple tasks which users (e.g., drivers) are typically capable of performing themselves within a vehicle. The advantage of Everhart is saving the driver a few seconds of time by speaking the command instead of having the user move his or her hand to the automatic lock mechanism, the open/close windows electronic control and/or the heat or air-conditioning buttons.

Accordingly, it is unlikely that a vehicle designer would add support for higher powered server speech recognition system in communication with the vehicles in their fleet which consist of recognizing such commands. If the command is misrecognized, the user can simply perform the action him/herself. Also, the lag or delay involved in the uploading of the misrecognized word, the subsequent higher powered speech recognition, and the downloading of the correctly recognized word, is likely prohibitive in this case. Also, as vehicles are typically constantly moving while such commands are spoken, there is no guarantee that once the word is recognized

that the word may be correctly routed to the car, and/or that a connection to the server can be guaranteed during an operation of the vehicle (e.g., for uploading).

Applicant reminds the Examiner that Hedin appears to be directed to wireless communications network, and not to in-vehicle speech recognition (see column 4, lines 37-65 of Hedin).

In view of the above remarks, Applicant respectfully submits that one of ordinary skill would not be motivated to combine Everhart with Hedin in order to add a client-to-server relationship to the in-vehicle system of Hedin. Everhart clearly is limited to in-vehicle speech recognition only, and modifying the system of Everhart to provide server-to-client relationship would unduly stretch the teachings disclosed and suggested in Everhart. Accordingly, Applicant respectfully submits that independent claim 8 is allowable.

As such, claims 9, 10, 11, 13 and 14, dependent upon independent claim 8, are likewise allowable over Everhart in view of Hedin at least for the reasons given above with respect to independent claim 8.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and issuance of the present application is respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 8, 9, 10, 11, 13 and 14 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

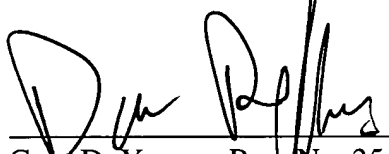
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

 # 57,687  
\_\_\_\_\_  
Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/MJL/DAP: tlt